THE HONOURABLE SRI JUSTICE V.ESWARAIAH

W.P. No. 23199 of 2007

Date:01-11-2007

Between:

Budike Ganganna .. **PETITIONER**

AND

The Grampanchayat, Raikal and another

..

RESPONDENTS

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ORDER:

The petitioner seeks a writ of mandamus to declare the action of the respondents in trying to demolish the petitioner's house bearing No.5-8, bus stand road, Raikal proper, as illegal and arbitrary and consequently direct the respondents not to demolish his house without following due procedure prescribed under law.

The case of the petitioner is that his house is situated on the main road at Raikal village and in front of his house, there is 22' x 30' road. The Grampanchayat has passed a resolution, dated 23.12.2006 unanimously to widen the road to 40 feet and approved the master plan widening the road to 40 feet. It is stated that the petitioner has absolutely no objection to make the width of the road as 40 feet. Though it has been contended that the widening of the road is not necessary and there is a bypass road, the only objection of the petitioner is that without acquiring the land, without paying the compensation and without following the due procedure of law, his house cannot be demolished and his property cannot be acquired.

Having regard to the facts and circumstances of the case, the respondents are directed not to demolish or dispossess the petitioner without following due procedure prescribed under law.

Accordingly, the writ petition is disposed of. No costs.

V.ESWARAIAH, J.

Date:01.11.2007

Note:
Furnish C.C. tomorrow.
B/O
ccm